

**GOVERNMENT OF INDIA
LABOUR AND EMPLOYMENT
LOK SABHA**

STARRED QUESTION NO:305
ANSWERED ON:21.12.2015
Child Labour in Family Enterprises
Ranjan (Pappu Yadav) Shri Rajesh

Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

- (a) whether the Government has taken note of prevalence of child labour under the guise of family business/enterprises and if so, the details thereof;
- (b) the provisions/measures available under the existing acts to arrest this situation;
- (c) whether the Government proposes to amend the existing acts so as to completely eradicate child labour in the country; and
- (d) if so, the details thereof?

Answer

MINISTER OF STATE (IC) FOR LABOUR AND EMPLOYMENT
(SHRI BANDARU DATTATREYA)

(a) to (d): A statement is laid on the Table of the House.

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STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (d) OF LOK SABHA STARRED QUESTION NO.305 RAISED BY SHRI RAJESH RANJAN FOR ANSWER ON 21.12.2015 REGARDING CHILD LABOUR IN FAMILY ENTERPRISES

(a) & (b): Child Labour (Prohibition & Regulation) Act, 1986 prohibits the employment of children below 14 years of age in certain occupations and processes and regulates the working conditions of children in employment where they are not prohibited. The present Act while prohibiting the employment of child in 18 occupations and 65 processes provides for an exception to any workshop where any process is carried on by the occupier with the aid of his family or to any school established by, or receiving assistance or recognition from, Government.

(c) & (d): A Bill to amend the Child Labour (Prohibition & Regulation) Act, 1986 has been introduced in Rajya Sabha in 2012. The Government has decided to move Official Amendments to the Amendment Bill. The Amendment Bill along with the Official Amendments, inter-alia, proposes complete prohibition on employment of children below 14 years, linking the age of prohibition with the age under Right of Children to Free and Compulsory Education Act, 2009, and stricter punishment for the employers contravening the provisions of the Act.

The proposed amendment will bring complete prohibition of employment of children in any occupation or process. Not only this, children are prohibited to work in their family/family enterprise. However, considering the social fabric and socio-economic conditions in the country where children acquire and imbibe basic skill sets while helping their parents, such help is permissible under proposed amendments. Additionally, the proposed amendments provide the following safeguards also:

â€¢ The proposed amendment only permits 'help' and not 'employment' in family/family enterprise.

â€¢ The family enterprise should be carried on by the members of the child's family only.

â€¢ The help given by the child to his family/family enterprise will not be allowed, if it involves hazardous process.

â€¢ The school education of the child should not be affected due to this help.
